

THE BAG

Having decided Oswald was the assassin, the Commission had to show how he got the rifle into the building.

In its report it depends upon the word of Buell Wesley Frazier, his sister, Linnie Mae Randle, and its own imagination.

A homemade bag, the Commission says, was found in the area from which the shots were fired. This is Exhibit 142 and appears in Vol. XVI. But it is also Exhibit 364 which appears in the same volume. Although at the point unexplained, it is the mystifying means with which the Commission's assistant counsel, Joseph A. Ball, introduces the testimony of Frazier on Wednesday March 11, 1964, Vol. II, pp. 210-45.

Before Frazier is sworn, Mr. Ball announced, "I would like to assign Commission Exhibit No. 364 to a paper sack which the FBI has identified as their C-109 exhibit. That will be the Commission's Exhibit No. 364 for identification at this time." When the Chairman agreed, Ball then announced that two FBI agents were breaking the rifle down or had done so and placed it in Exhibit 364. The Chairman again agreed. Then Ball said, "We have also here before the Commission, Commission No. 142, which is a paper sack which is identified as FBI Exhibit No. 10." Then Ball elicits a rundown on Frazier, his family, where he lives and with whom, where he has lived, all about his parents, the illness of his stepfather, and other unvital trivia.

Frazier's normal departure time in the morning was 7:20 and sometimes as late as 7:25, but he preferred the earlier time for reasons of parking. This might explain Marina's finding her husband hadn't eaten breakfast on the morning of the 22nd when he slept through the alarm and she awakened him at 10 minutes after 7.

Frazier took the initiative in introducing himself to Oswald after Oswald went to work at the Depository and also offered Oswald transportation any time he desired it. (p.216)

Frazier and Oswald were both order-fillers. This was the busy season and there were five or six order-fillers. At least Frazier and Oswald were new employees. (p.217)

The reason Oswald gave for not going home the one weekend he didn't was "he said he was working on his driver's license and he was going to take a driving test." (p.217) Note the Commission found in Oswald's possessions information bearing on this. Ruth Paine also was teaching him driving.

Oswald didn't talk much, but he enjoyed talking about his baby which Frazier said ~~was~~ seemed to make him happy, and about the baby he was expecting. They also discussed Oswald's travels, including the fact he had been in Russia. Frazier was more interested in France and Germany. Oswald never talked politics. (pp.219-20).

When Oswald was home weekends, he brought a lunch with him, except for the 22nd of November (p.220).

On the 21st Oswald asked if he could ride home with Frazier. When Frazier asked why, Oswald replied, "I am going home to get some curtain rods." He said for his dwelling. (p.222)

The morning of the ~~21~~ 22nd Oswald got there before Frazier finished breakfast, looked through the window where Frazier's mother, who had never seen him before, saw him, and walked around outside waiting for Frazier to finish breakfast. Oswald was not ahead of time; Frazier looked at the clock and saw he was running late. (p.225) They walked to the car together. Frazier noticed the package on the back seat which Oswald said contained curtain rods. Frazier esti-

mated its size at 2 feet. Its width he placed at 5 to 6 inches. On the way in they talked about the babies and Oswald chuckled and said he had fun playing with them. They did not talk about the visit of the President. (p.227) Frazier sat in the car and let the motor ~~start~~ run for a while to charge the battery after they got to work. After Oswald got out of the car, when he noticed Frazier wasn't leaving immediately, Oswald walked onto the building by himself. Frazier also enjoyed watching the engines switching around on the tracks, so by the time they got to the building Oswald was roughly 50 feet ahead of him. When asked how Oswald was carrying the package, Frazier said "he had up just like you stick it right under your arm, like that. ... the other part with his right hand." To make it clearer, under questioning by Ball, he said he had it parallel to his body, right straight up and down, under his right arm with the end in his right hand. He also said he knew Oswald to be truthful (p.228). Frazier had worked in a department store and had handled packaged curtain rods; he seemed to think this was a package of curtain rods. (This seems to indicate that Oswald had one end of the package in his armpit, the other end in the crooked palm of his hand.) (p.229). Frazier didn't see Oswald after ~~they~~ ^{Frazier} entered the building. (p.230) During the course of the morning he saw Oswald from time to time filling orders. When he was on the sixth floor, he noticed they "were moving stock, I believe putting up the stock, straightening up the stock."

He had heard that the President was going by, but he didn't talk to Oswald or any of the other men about it. (p.232) He went outside to see the President at lunchhour without eating lunch, and he was pretty ^{close} to Mr. Shelley and Billy Lovelady. Near them was a woman whose

name he knows only to ~~him~~ be Sarah. They were standing on the steps. He shows where he was standing on Commission Exhibit 362. (This is a chart of the first floor of the Book Depository Building and it appears on p.958 of Vol. XVI.) (p.233) He stayed there until after the President went by. (Top of p.234) In the light of this and especially with the question already raised about Billy Lovelady and Oswald, isn't it odd that the Commission, while showing him a drawing, didn't show him the Aitgens photograph and ask him to identify himself? Or more important, to identify Lovelady.)

With all the confusion, people screaming and running and falling, he decided, because of his earlier training, to stand still in order not to look guilty. He thought the sound came from the direction of the railroad tracks. In a few minutes he went back into the building. And in just a few minutes "there were a lot of police officers and so forth all over the Building there." He believes he reentered the building before any policemen arrived. (p.234) He went down to the basement to eat his lunch. While on the first floor, he was in the warehouse area, which he pointed out on Exhibit 362. (p.235) He is more specific about the location and says it was near Mr. Shelley's office and that other men were there and they were talking. Because of the short time, he remained in the basement, and ate his lunch rapidly.

They didn't do any more work that day. They were told to go home between 1 and 2. (This is exactly what Oswald had told the police he knew was going to happen.) (p.236) Oswald had told him he wasn't going to Irving that day and, especially because of the curtain rods, Frazier didn't look for him. Before he left for home he didn't know Oswald was missing. (p.237) Shown 2 jackets described as Oswald's,

a gray-blue one, Exhibit 163, and a gray one, Exhibit 162, (Vol. XVI, pp.521 and 520,) and a "sort of a rust-brown shirt", Exhibit 150 (p.1515), he says he cannot identify them and that mostly Oswald went around in just a T-shirt. However, on that day he had noticed that Oswald was wearing a gray flannel-like wool-looking jacket with a zipper that Frazier had seen him wear. He reiterates it was not one of the 2 he had been shown. (Compare this with Marina's testimony that Oswald had but 2 jackets.) The only item of Oswald's clothing that day he remembers is the jacket. The jacket was plain, without a figure, and light gray. (p.238) Shown the bag, Exhibit 364, he says it is the right color but the wrong length. He reiterates one end of the package was in Oswald's armpit, the other was in his hand and did not "extend beyond the right hand". He again reiterates "he had it cupped in his hand". About the width of the bag, he thinks it is "just a little bit too wide". On this point he again says, "I think it is, (that is, too wide) because if you know yourself you have to have a big hand with that size, but like I say he had this cupped in his hand because I remember glancing at him when he was walking up ahead of me."

Mr. Ball then brings out Exhibit 142, or FBI No. 10, which Frazier says was shown to him in Dallas. Asked by Ball if, when he first saw it, "you felt that the bag you saw was of a different color, didn't you?" Frazier replied, "Right, and I say they told me this one had been treated in the lab." (p.239) Shown a part of bag 142 that Ball says has not been treated, Frazier refuses to say it is the right color. He agrees it is similar.

(Comparing the two exhibits as they appear in Vol. XVI, if the light part of 142 is the allegedly untreated part, it clearly is not

the shade of 364.)

He says that when shown the bag in Dallas "I told them that as far as the length there, I told them that was entirely too long."

Although he has been specific in saying that the package he saw was cupped in Oswald's hand and ended in his armpit, Ball asks, "Now you said that some of the bag might have been beyond his hands, did you say?" (p.240) (He hasn't said it here; possibly he told the police that in Dallas). Frazier says, "Yes, sir; I said it could have, now I am not saying it was." Ball pushes him, and he says it could have been longer than his hands. They ask him to put the bag under his armpit and he does. He again repeats and shows how, when he looked at Oswald, Oswald held the package cupped in his hands. Ball again pushes and says, "you said a moment ago you weren't sure whether the package was longer or shorter." Frazier's reply doesn't seem to make sense, "And his hands because I couldn't see that about the package," to which Ball again returns with this question, "By that, do you mean that you don't know whether the package extended beyond his hands?" Frazier asks, "This way?" Ball says, "No; lengthwise, toward his feet", and Frazier gives a positive answer: "No; now I don't mean that." Asked to explain what he meant, Frazier said, it could have extended "widthwise not lengthwise." Ball doesn't give up. He asks, "But you don't think it was longer than his hands?" and Frazier replies, "Right." Ball gives up and asks if Frazier had ever seen Oswald take anything home from the Book Depository and gets a negative reply. When the question is rephrased, he gets the same response. (p.241)

Shown a picture taken during the parade, Frazier says he doesn't show in it because he was above Billy Lovelady who he does identify.

The picture is marked Exhibit 369 and appears in Vol. XVI, p.965. It seems to be a cropped version of the Altgens picture. It has been enlarged more and, among other things, clearly shows no damage between the sunvisors. Hence, the ^{first} bullet that struck the President could not have dented the molding ¹ around the windshield. This should have been obvious to the Commission which, nonetheless, at one point in the report conjectured that this bullet could have caused the dent. (p.242)

There are no locker rooms for the storage of clothing.

(Other testimony before the Commission had Oswald leaving the Building with no jacket. This jacket, then, is yet to be accounted for.)

After Ball said he had no questions, he suddenly told Frazier they had the rifle in the bag, Exhibit 364, and asked him to "stand up here and put this under your arm and then take a hold of it at the side." Frazier demurred and Ball ordered him, "Turn around." Frazier continued to demur with explanations which accomplished nothing. He insisted again that Oswald had it "tucked under his shoulder" when asked by the Chairman. He also added, "he had it cupped in his hand." The Chairman said, "I beg your pardon?" and Frazier again said, "I said from where I noticed it he had it cupped in his hands. And I don't see how you could have it anywhere other than under your armpit because if you had it cupped in your hand it would stick over it." Ball asked if he could have carried it in another undescribed fashion, and Frazier then says, "No, sir. Never in front here. Like that, Now, that is what I was talking to you about. No, I say he couldn't because if he had you would have seen the package sticking up like that. From what I seen walking behind he had it under his

arm and you couldn't tell that he had a package from the back." When asked to demonstrate it all over again, he does and agrees when Ball points out that the package extends "almost up to the level of your ear." (p.243)

Ball estimates the width of the package first at 8 inches, then 8, 10 inches. Frazier says, "If you were using a yardstick or one of these little - " and is interrupted by Ball who says, "I was using my hand." Frazier then says, "I know you were, but there are some different means to measure it." He says, for example, it would be different if you used a yardstick or a tape measure.

Ball changes the subject again and goes back to an alleged uncertainty in Frazier's testimony about the direction from which the shots came. They go through the whole thing again and Frazier gives him a lengthy description of his opinion of the source of the sound, saying, "it is my true opinion, that is what I thought, it sounded like it came from over there, in the railroad tracks." Ball asks, "That could be east and south?" and Frazier replies, "No; that would be west and south." Ball asks, "West and south?" Frazier then said, "No; it would be north." Ball tries to correct him, saying, "No; it wouldn't be north." Frazier then says, "Yes; it wouldn't be south because that is in that direction." Ball sums it up by saying "Your direction was west and north as the source of the sound." Asked the opinions of others with him, Frazier replies, "it was, downward right back from us, like where we were standing. If we had been standing somewhere else you might have gotten a different opinion, but from where we were standing on the steps there it sounded like back down to the right." They get out an aerial photograph and when Frazier is about to mark it showing the information Ball wanted, Ball stops him. (p.244)

After Frazier goes through the entire explanation winding up with "and this is a high knoll up here, which runs where the tracks are, from standing there (meaning where he was standing) it sounded like it came from this general area over here." At that point Ball had him mark the spot with a circle. (See Vol. XVI, p.944)

At this point Frazier's sister was called as a witness (p.245). However, Frazier was called for a deposition on July 24, 1964, in Dallas (Vol. VII, p.531), where he was questioned by Mr. Liebeler. He was asked if he had ever seen Oswald with a package similar to the one he carried on November 22 and said he hadn't. The question was rephrased and made more specific, "from Irving into the Texas School Book Depository Building" and again he replied in the negative. Then the question was made broader, "any other time or at any other place?" and again he replied in the negative.

Unless my recollection is entirely incorrect, Frazier is the only one who had actually seen Oswald carrying a package. Here the Commission proves by its only witness that the package could not possibly have been the package containing the rifle.

Mrs. Randle's testimony began with a declaration that she knew Ruth Paine only slightly, from having visited a neighbor and on one occasion attending a birthday party for one of Mrs. Paine's children. (pp.245-6) Visiting the same neighbor, she subsequently met Mrs. Oswald. This was about the first week of October. Mrs. Randle also said that Marina "kept the yard and things like that". The women discussed Oswald's need for a job, especially in view of the impending addition to his family. (p.246) It is unclear, but it is apparently at Mrs. Randle's suggestion that Lee applied for and got the job at the Depository (p.247). Wesley told her that Oswald had come home on

the 21st for curtain rods. The next morning she saw Oswald "as he crossed the street and came across my driveway to where Wesley had his car parked by the carport." When she saw Oswald, he was carrying "in his right hand, had the top sort of folded down and had a grip like this, and the bottom, he carried it this way, you know, and it almost touched the ground as he carried it." Prior to this quotation, she had given an approximation of its length which is not represented in the transcript.

Mr. Ball who was questioning, says, "And where was his hand gripping the middle of the package?" and she corrected him, saying, "No, sir; the top with just a little bit sticking up. You know just like you grab something like that." Ball reiterated that, with this grip, the package was almost touching the ground, and she affirmed. She saw him go to the car, open the right back door and put the package down. She added, "I didn't recognize him as he walked across my carport and I at that moment I wondered who was fixing to come to my back door so I opened the door slightly and saw that it - I assumed he was getting in the car, but he didn't, so he come back and stood on the driveway." (p.248) She didn't know where in the back of the car Oswald had put the package; she knew merely that it was in the back.

She was shown Exhibit 364 and identified the color as similar package to the ~~package~~ she remembered. As to its length, "Well, it wasn't that long, I mean it was folded down at the top as I told you. It definitely wasn't that long." She thought the width was about right. When asked to demonstrate by standing up and using the package as an example, she said it looked too long. Ball repeated her answer and she affirmed it. She then demonstrated her recollection of its

length. As in the case of her brother, the Commission is careful not to represent in the record her approximation. Finally, the size creeps out, 2 feet or "just" a little bit more".

Ball then shows her the "discolored" bag, which is ^{No.} exhibit 142, which he said she had been shown by the FBI. Asked if its color appeared similar to the one she saw Oswald carrying, she replied, "Yes; it is a heavy type of wrapping paper." Apparently, she was really talking only about the material and the part of 142 that had not been discolored. Ball persists in going into the length of the package she saw. (p.249) She approximates and Ball says, "That is 28-1/2 inches." She replied, "I measured 27 last time." He asks, "You measured 27 once before?" and she affirms it.

Ball changes the subject to Oswald's clothing. She confirms her brother's testimony about a gray jacket. She also recalled a brown or tan shirt. When shown a gray jacket and asked to identify it, she replied, "Similar to that. I didn't pay an awful lot of attention to it." She described it as having big sleeves. This was exhibit No. 163. Shown Exhibit 150, the shirt, she said, "I don't remember it being that shade of brown. It could have been, but I was looking through the screen and out the window but I don't remember it being exactly that. I thought it was a solid color." Then Ball says, "Here is another jacket which is a gray jacket, does this look anything like the jacket he had on?" and Mrs. Randle says, "No, sir; I remember its being gray." To this Ball replies, "Well, this one is gray but of these two the jacket I last showed you is Commission Exhibit No. 162, and this blue gray is 163, now if you had to choose between these two?" and she replied, "I would choose the dark one." She repeated she didn't pay much attention to the jacket and wasn't certain.

At the beginning of the day's testimony, listed as ~~among~~ ^{among} those present were Charles Murray and Lewis E. Powell, Jr., observers (p.210). I presume these were instead of Mr. Craig, the former head of the Bar Association, who had been appointed by the Commission to look out for Oswald's interests. Although the question has not been asked at the end of Frazier's testimony, the Chairman asked, "Have you any questions, Mr. Powell?" to which Mr. Powell replied in the negative.

Some representation! (p.250)

The Commission's representation of the testimony of Mrs. Randle and her brother is a gross distortion of what I have above summarized. They have eliminated what they chose to eliminate, exaggerated what they chose to exaggerate, distorted what it suited their purposes to distort, ignored the graphic ~~and~~ descriptions of both witnesses as to the length of the package, completely misrepresented Frazier's demonstrations and descriptions of how Oswald carried the package, and at no point says, as Frazier had time after time after time, that one end of the package was in Oswald's armpit and the other was cupped in his hand. It also entirely misrepresents Oswald's going into the building ahead of Frazier, something Frazier had explained with care. The innuendo here is as false and deceptive as all the rest of the Commission's version of this testimony.

In its report the Commission says, "One employee, Jack Dougherty, believed that he saw Oswald coming to work, but he does not remember that Oswald had anything in his hands as he entered the door. No other employee has been found who saw Oswald enter that morning." Mr. Dougherty's deposition was taken on April 8 by Mr. Ball and appears in Vol. VI beginning on p.373. I haven't yet read it, but I

did notice that on p.381, when asked "Did you ever see Lee Oswald carry any sort of a large package?", he replied that he hadn't but that "some of the fellows said that they did." Asked who, he said, "Well, Bill Shelley, he told me that he thought he saw him carrying a fairly good size package." This allegedly happened the day following the assassination. Dougherty said he was positive, but apparently Mr. Shelley did not confirm this.

This may be one way to get the weapon at the scene of the crime, but it certainly is hard to imagine more unsatisfactory way. By any fair appraisal, the Commission has proved that Oswald could not possibly have carried the weapon into the building the morning of the assassination.